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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,379	04/01/2004	Heinz Werner Meyer-Weingaertner	H01.2-11507	9347
490	7590	10/31/2005		
VIDAS, ARRETT & STEINKRAUS, P.A. 6109 BLUE CIRCLE DRIVE SUITE 2000 MINNETONKA, MN 55343-9185			EXAMINER BEAUCHAINE, MARK J	
			ART UNIT	PAPER NUMBER
			3653	

DATE MAILED: 10/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/816,379	MEYER-WEINGAERTNER, HEINZ WERNER	
	<b>Examiner</b>	<b>Art Unit</b>	
	Mark J. Beauchaine	3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 01 April 2004.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2 and 6 is/are allowed.
- 6) ☒ Claim(s) 1, 3, 4 and 7-14 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/24/04</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3, 4 and 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 3 recites the term "is smaller" in line 4 of the claim without referencing an element for comparison.

Claim 4 recites the term "to light" in line 2 of the claim in lieu of the term "of light". Also, said claim recited the ambiguous term "other region" in line 3 of the claim.

Claim 7 recites the limitations "frames" and "windows" in lines 1 and 2, respectively, in the claim. There are insufficient antecedent bases for these limitations in the claim.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Patent Number 5,501,633 by Watkins et al in view of Patent Number 4,413,718 by Dean. The coin mechanism disclosed by said '633 patent incorporates coin tube 102, light source 108, light detector 112 and printed circuit board 110 that read on the Applicant's tube, light emitting element, light receiving element and printed circuit board, respectively. Although said mechanism discloses a concave shape 114 in lieu of a prism, the use of a prism in a coin tube sensor is well known in the art. Said '718 patent teaches a coin tube 64 that incorporates prism 94 to reflect sensor light across the width of said coin tube. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the prism of said '718 patent into the coin mechanism of said '633 patent to provide an effective means of reflecting sensor light.

Claims 8-9 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over said '633 and '718 patents as applied to claim 1 above, and further in view of Patent Number 5,830,055 by Jones et al. Said '055 patent incorporates a coin canister that is base 2 and cover 4 that read on the Applicant's cup components of claim 8. Furthermore, said '055 patent incorporates catches 28 that read on the Applicant's snap connection of claims 9 and 12.

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Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over said '633, '718 and '055 patents as applied to claim 9 above, and further in view of Patent Number 4,541,547 by Miknyocki et al which discloses a transparent coin storage tube 97 (column 5, lines 3 plus). It would have been obvious to one of ordinary skill to incorporate transparent material into the cover 4 of said '055 patent.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over said '633 and '718 patents as applied to claim 1 above, and further in view of Patent Number 5,788,046 by Lamah which teaches a coin processing apparatus that incorporates LED switches that transmit light pulses to photoelectronic receivers 205a-e (column 5, lines 35 plus). Accordingly, it would have been obvious to one of ordinary skill to operate light source 108 disclosed by the '633 patent in a pulsed mode.

#### ***Allowable Subject Matter***

Claims 2 and 6 are allowed. Claim 5 is objected to as being dependent from a rejected base claim.

The following is a statement of reasons for the indication of allowable subject matter:

The Examiner considered Patent Number 5,501,633 by Watkins et al to be the prior art most closely related to the Applicants independent claim 2. Although said '633

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patent incorporates a reflective concave shape 114, into frame part 106, it fails to disclose or suggest an integral prism incorporated into a coin tube, said coin tube and prism being made of the same material.

### ***Conclusion***

The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Patent Number US 6,827,647 B1 by Loose et al because of its optic sensors 42, and

Patent Number 6,044,952 by Haggerty et al because of its prism 62.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark J. Beauchaine whose telephone number is (571)272-6934. The examiner can normally be reached on 8:00AM through 5:00PM Mondays through Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald P. Walsh can be reached on (571)272-6944. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mjb

  
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